

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**October 17, 2006**

DIVISION TWO

B185360 People (Not for Publication)  
v.  
Borjal

The judgment is affirmed.

Chavez, J.

We concur:   Boren, P.J.  
                    Ashmann-Gerst, J.

B188730 People (Not for Publication)  
v.  
Casas

The Court:

The order under review is affirmed.

Boren, P.J., Doi Todd, J., Ashmann-Gerst, J.

DIVISION THREE

Court convened at 9:30 a.m.

Present: Klein, P.J., Croskey, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

DIVISION THREE (Continued)

Each of the following:

B187545	People v. Johnson
B185630	People v. Villegas
B187329	People v. Seals
B193102	Lisa M., v. S.C.L.A.
B186366	Jagessar v. Brown
B183641	Monroe v. Zadelian-Beaver

Argument waived, cause submitted.

B186729	Farm Sanctuary, Inc. v. Corcpork, Inc.
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Appearances:

Sheldon Eisenberg for appellant and L. Steve Albright and Rachel Alexander for respondents. Request is made by the respondent to continue the matter. The matter is ordered continued to the December calendar.

B184948	People v. Carleisha P.
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Merits:

Argued by Lynette Gladd Moore for appellant and by Taylor Nguyen, Deputy Attorney General for respondent. Counsel for respondent shall submit supplemental letter brief to the court today, October 17, 2006, any response by appellant due within 10 days. Submission deferred.

DIVISION THREE (Continued)

B186939      Cronan  
                  v.  
                  Cronan

Merits:

Argued by Scott Gailen for appellant and by Shara Beral Witkin for respondent. Cause submitted.

B184659      Hearst, et al.  
                  v.  
                  Ganzi, et al.

Merits:

Argued by Fred Bartlit, Jr. and Thomas DiFranco for appellants, by Andrew Garb for respondents and by Irving Greines for amicus curiae. Cause submitted.

Court recessed at 11:36 p.m.

Court reconvened at 1:30 p.m.

Present: Klein, P.J., Croskey, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B189808      Children and Family Services v. Bonifacio A.  
B188595      People v. Rios  
B184692      People v. Dunson  
B188133      People v. Falcon  
B1189791      People v. Segura  
B188123      People v. Martinez  
B183515      People v. Newman

Argument waived, cause submitted.

DIVISION THREE (Continued)

B185839      General Facilities, Inc., dba Commerce Systems/Commerce Air, etc.  
v.  
Claude E. Atkins Enterprises, Inc.

Merits:

Argued by Marshall Rosenback for appellant and by Kerri Melucci for respondent. Cause submitted.

B191132      Ross  
v.  
Kish

Merits:

Argued by Mark Schaeffer for appellant and by Robert Pourvali for respondent. Cause submitted.

B187524      MG Anz Ent.  
v.  
Burks

Merits:

Argued by Louis Zankich for appellant and by Jeremy Kline for respondent. Cause submitted.

B182979      Gillan  
v.  
City of San Marino, et al.

Merits:

Argued by Daniel P. Barer for appellants and by John C. Burton for respondent. Cause submitted.

Court adjourned.

DIVISION FOUR

B187955 People (Not for Publication)

V.  
Blackshire

Appellant's conviction on count 5 for possession of a controlled substance in violation of Health and Safety Code section 11357, subdivision (b) is reversed. In all other respects, the judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.  
Manella, J.

B183244 People (Not for Publication)

v.  
Lopez

The judgment of conviction is reversed and the case is remanded for new trial.

Epstein, P.J.

We concur: Willhite, J.  
Suzukawa, J.

B191133 People (Not for Publication)

V.  
Draper

The order is affirmed.

Willhite, Acting P.J.

We concur: Manella, J.  
Suzukawa, J.

October 17, 2006 (Continued)

## DIVISION FOUR (Continued)

B191406 People (Not for Publication)

V.

Valenzuela

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.  
Willhite, J.

DIVISION FIVE

B181601 People (Not for Publication)

V.

Devin Murphy, Reginald K. McKizzie, Charles A. Mosley,

The judgments are affirmed. Mosley's abstract of judgment is ordered modified to reflect 64 days of conduct credit. McKizzie's abstract of judgment is ordered modified to reflect 44 days of conduct credit.

Mosk, J.

We concur:   Armstrong, Acting P.J.  
                      Kriegler, J.

B190889      In re Alexa P      (Not for Publication)

V.

Los Angeles County, D.C.S.

The judgment is affirmed.

Mosk, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

DIVISION SIX

B192530      Valentina P.      (Not for Publication)

v.  
Santa Barbara Superior Court  
(Child Welfare Services, r.p.i.)

The petition is denied.

Yegan, J.

We concur: Gilbert, P.J.  
Perren, J.

B182712 People (Certified for Publication)

V.  
Valentine

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.  
Yegan, J.

B183853 People (Not for Publication)

v.  
Nix

The judgments are affirmed.

Yegan, J.

We concur:    Gilbert, P.J.  
                         Coffee, J.

DIVISION SIX (Continued)

B183692 People (Not for Publication)  
v.  
Garcia

The clerk of the superior court is directed to prepare and forward to the department of corrections an amended abstract of judgment striking the 10-year enhancement imposed pursuant to section 186.22, subdivision (b) and staying the 20-year enhancement imposed pursuant to section 12022.53, subdivision (c). In all other respects the judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.

B187916 People (Not for Publication)  
v.  
Smith

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.



DIVISION SIX (Continued)

B187717      Array Connector Corporation                      (Not for Publication)  
                 v.  
                 Avia-Dynamics Corp.

We reverse with directions to vacate the October 28, 2004 default judgment for \$136,706. The order denying the motion to set aside the default is affirmed. The parties shall bear their own costs on appeal.

Yegan, J.

We concur:   Gilbert, P.J.  
                 Perren, J.

DIVISION SEVEN

B192200      In re Clarissa B.                      (Not for Publication)  
                 Los Angeles County, D.C.S.  
                 v.  
                 Robert B.

In view of Robert B.'s failure to identify any cognizable legal error, the appeal is dismissed. (*In re Sade C.*, *supra*, 13 Cal.4th at p. 994 [appellant must raise claims of reversible error or other defect in the appealed-from judgment or order and must present argument and authority on each point made; if he or she does not do so, the court in its discretion may deem the appeal abandoned and order its dismissal].)

Perluss, P.J.

We concur:   Woods, J.  
                 Zelon, J.

DIVISION EIGHT

B183049 Patchett, (Certified for Publication)

v.

Bergamot Station, LTD.,

The judgment is affirmed. Thomas Patchett is entitled to recover his costs on appeal.

Boland, J.

We concur: Cooper, P.J.  
Rubin, J.

B184315 Friends of The Raymond Theatre et al., (Not for Publication)

v.

City Of Pasadena,  
Buchanan/Perkins LTD et al.,

As to causes of action two, three, four, five and six, the order sustaining the demurrers is affirmed. As to cause of action one, the order sustaining Buchanan's demurrer is affirmed, although on different grounds. As to that cause of action, the order sustaining the City's demurrer is reversed, and the trial court is directed to enter an order vacating its previous order and enter an order overruling the demurrer. Buchanan, Pasadena Heritage and National Trust are awarded costs on appeal as to the causes of action two, three, four five and six. Buchanan and City are to bear their own costs on appeal as to cause of action one.

Boland, J.

We concur: Cooper, P.J.  
Flier, J.

October 17, 2006 (Continued)

DIVISION EIGHT (Continued)

B188831      In re WEN LEE on Habeas Corpus.      (Certified for Publication)

The petition for writ of habeas corpus is granted. The Governor's decision to reverse the board's order granting parole to Wen Lee is vacated, and the board's parole release order is reinstated.

Rubin, J.

We concur:    Cooper, P.J.  
                     Boland, J.